

## Remarks/Arguments

### *Claim Summary*

By this Amendment, claims 3 and 6 have been amended, and claims 1, 2 and 8 have been cancelled.

Claims 3 - 7, 9 and 10 are now pending in the application.

### *Claim Rejections - 35 USC § 112, 2<sup>nd</sup> ¶*

By this Amendment, the claims have been amended to overcome each of the informalities alleged by the Examiner. It is thus believed that the rejection under 35 U.S.C. § 112, second paragraph, has been overcome.

### *Claim Rejections - 35 USC § 103*

Claims 3-10 were rejected under §10 (a) as being unpatentable over JP 411299484 (NEC) in view of Miller et al. (USP 5,569,634).

The Examiner's alleges that the NEC references discloses a wastewater treatment system recited in claim 3, and that Miller et al. discloses porous material having an average pore size of 60-550µm, as detailed on pages 2 and 3 of the Office Action.

Claim 3 has been amended to distinguish it from the Examiner's cited reference. Specifically, claim 3 now recites a wastewater treating agent *consisting essentially of zeolite*.

Without acquiescing to the Examiner's rejection reason in view of NEC, the Applicants submit that Miller et al. **does not** disclose a wastewater treatment agent consisting essentially of zeolite having an average pore size of 0.5-100µm, as per amended claim 3. Miller et al. discloses a catalyst support having an average pore size of 0.5-100µm. In other words, the catalyst support is an aggregate of ultimate bodies (inorganic oxides), zeolite, and an inorganic

binder. Column 3, lines 48-63, and column 4, lines 54-56. In other words, Miller et al. discloses that the aggregate comprising several different inorganic material has an average pore size of 0.5-100 $\mu$ m, not that zeolite has an average pore size of 0.5-100 $\mu$ m.

Miller et al. also discloses that "*a key aspect*" of its invention requires zeolite containing inorganic particles, e.g., clay and binder, with sufficient physical integrity. Column 6, lines 38-40. In others, the novelty of Miller et al. necessarily requires inorganic materials, in addition to zeolite.

As remarked above, Miller et al. fails to disclose a wastewater treating agent consisting essentially of zeolite having an average pore size of 0.5-100 $\mu$ m.

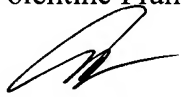
Accordingly, the Applicants respectfully submit that the present claims define over the cited references individually or in combination thereof.

### ***Conclusion***

No other issues remain, reconsideration and favorable action upon claims 3 - 7, 9, and 10 present in the application are requested.

Respectfully submitted,

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